

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

INFORMATION

Agenda Item No. 7

meeting date: WEDNESDAY, 24 MAY 2017
title: ANNUAL OVERVIEW - HEALTH & SAFETY
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1 PURPOSE

1.1 This report presents a review of the management of health and safety by the Council during the period April 2016 to March 2017.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – Effective management of health and safety risks supports the Council's ambition to make people's lives safer and healthier for staff as well as for the community.
- Community Objectives – Effective risk control systems for staff, contractors and members of the public promotes health and well-being within the community.
- Corporate Priorities – Health and safety reports provide the information needed by people in the Council who have particular responsibilities within the Health and Safety Management System; these people include directors, senior managers, managers, supervisors, health and safety professionals and employees/safety representatives.
- Legal – To ensure legal compliance with the Health and Safety at Work etc. Act, 1974, applicable Regulations and Approved Codes of Practice and, in particular, the Management of Health and Safety at Work Regulations 1999, Regulation 3, (Risk Assessment) and Regulation 5, (Health and Safety Arrangements).

2 OVERVIEW

2.1 Senior managers, managers and supervisors must maintain attention on the council's significant risks and on implementation of adequate controls. The staff survey in 2015 revealed that 69% of staff thought that the Council provided a safe and healthy work environment, however, just 39% of staff thought that their Manager explained risk assessments to them to keep them safe at work, following this a Safety Climate Survey was undertaken and the results indicated that further improvement in the "safety culture" of the council could be achieved.

2.2 A good health and safety culture is one where employees behave naturally in a safe and risk aware manner. Without a good culture guards can be defeated, training ignored and procedures not followed. Senior managers, managers and supervisors must demonstrate their commitment by their attitude and actions and by ensuring they are aware of the key health and safety issues, challenging unsafe behaviour in a timely and effective manner. They must understand their roles and those of others and measure performance to check controls are working and standards are maintained

2.3 Health and Safety continues to be an agenda item at all staff meetings and features appear regularly in Backchat and on Health and Safety Notice Boards. The Chief Executive and selected Senior Managers attend the quarterly Health and Safety Committee meetings, which serve as a forum for consultation with Unions and

employees on matters such as risk assessments and safe working procedures, the meetings are well attended and contribute to the process of consultation with the workforce. Councillor I Sayers also attends the meetings.

- 2.4 The Management of Health and Safety within the Refuse Collection Service continues to be a priority in the Health and Safety Executives (HSE) programme of interventions aimed at reducing the incidence of work-related accidents and occupational ill-health within the industry. This extends not only to employees, but also to members of the public whose health and safety may be affected by a work activity. It is therefore important that current best practice guidance and standards in the management and monitoring of this service are implemented.
- 2.5 Effective management of health and safety risks helps the Council to:
- maximise the well-being and performance of its employees;
 - stop people being killed, injured or suffering ill-health by their work;
 - prevent damage to its reputation in the eyes of customers, suppliers, other stakeholders and the wider community;
 - encourage better relationships with contractors, and more effective contracted activities; and
 - minimise the likelihood of prosecution and consequent penalties.
- 2.6 The Ribble Valley Borough Council Health and Safety Management System utilises the model provided in the Health and Safety Executives “Managing for Health and Safety” publication HS(G)65 1997, POPMAR, (Policy, Organising, Planning, Measuring performance, Auditing and Review). This guidance was refreshed and simplified in December 2013 and explains the Plan, Do, Check, Act approach showing how a balance between the systems and behavioural aspects of management can be achieved.

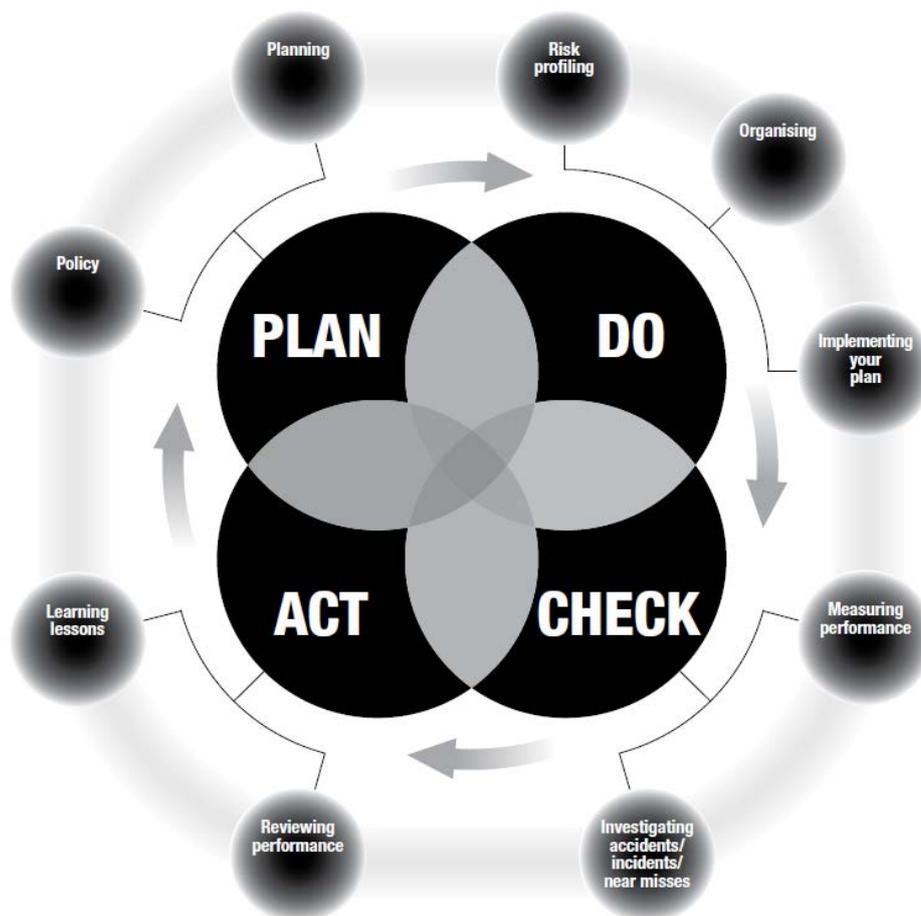


Figure 1. HSG65, 2013

- 2.7 The simpler “Plan, Do, Check, Act” approach treats health and safety management as an integral part of good management generally, rather than as a stand-alone system. However, Ribble Valley Borough Council will continue to use the POPMAR model of managing health and safety as this system is still appropriate for the risk level and complexity of the organisation and already incorporates the core elements identified in the refreshed guidance.
- 2.8 The HSE encourages a common sense and practical approach as part of the everyday process of running an organisation and an integral part of workplace behaviours and attitudes, as does Ribble Valley Borough Council. The core elements, underpinned by an understanding of the profile of risks the organisation creates or faces links back to wider risk management and is pictured below.



3 POLICY AND PROCEDURE DEVELOPMENT

3.1 The Ribble Valley Borough Council Health and Safety Policy has been reviewed and updated in line with changes in legislation and guidance. The Policy is set out in three sections:

- **The statement of general policy on health and safety at work** sets out the council's commitment to managing health and safety effectively.
- **The organisation section** sets out who is responsible for specific actions.
- **The arrangements section** contains the detail of what will be done in practice to achieve the aims set out in the statement of health and safety policy and includes information on how the risk of hazards will be eliminated or reduced.

4 THE COUNCIL'S SIGNIFICANT HAZARDS

4.1 Construction - The Construction Design and Management (CDM) regulations 2015 came into force on 6 April, 2015. The main changes were the replacement of CDM co-ordinators by “Principal Designers”, (appointed by Clients for projects involving more than one contractor), full inclusion of domestic projects and an overall attempt to reduce bureaucracy and communicate the key roles and responsibilities in a clearer manner. The Regulations are applicable to all construction work including the works carried out by the General Works Department and Contractors. The

Construction Skills Certification Scheme, (CSCS) is the leading skills certification scheme within the UK construction industry. CSCS cards provide proof that individuals, at all levels, working in construction have the required training and qualifications for the type of work they carry out and this scheme should be implemented at the council to ensure the competence of this section of the workforce.

- 4.2 Transport – this includes the waste transfer station and depot management, occupational road risk and vehicle operations and maintenance. More than a quarter of all road traffic incidents may involve somebody who is driving as part of their work at the time (Department for Transport figures). Health and safety law applies to work activities on the road in the same way as it does to all work activities and the risks to drivers need to be managed as part of our health and safety arrangements.

Health and safety law does not apply to people commuting (i.e. travelling between their home and their usual place of work), unless they are travelling from their home to somewhere which is not their usual place of work. Vehicles at work continue to be a major cause of fatal and major injuries. Transport risks at the council include drivers of Refuse Collection Vehicles, Depot plant, vans and pick-ups, casual vehicle and lease car drivers, all involved in driving for work. In 2016/17, 5 claims were made in respect of Own Damage, (settled for a total of £4,622.14). 6 claims were made in respect of Third Party Damage, (4 settled for a total of £1,686.13 and 2 claims still outstanding and settlement estimated at £6,706.01.

- 4.3 Fire – this is an important area due to the potential severity of any incidents and the size of the authority's property portfolio. Training for newly appointed Fire Marshals was carried in December 2016, the training included instruction on the Emergency Evacuation Plan and Fire Extinguisher identification and use. The fire alarm detection system is tested every Thursday at 10.00 hours in the Council Offices and full testing of the evacuation plan, for the council offices, should be carried out this year.

- 4.4 Mental health problems – these are the biggest cause of sickness absence in local government. Stress, anxiety and depression are the main issues. For this Council, 102 working days were lost this year due to work and home related stress compared to 220 lost working days in the 2015/16 year.

- 4.5 Musculoskeletal injuries – bad backs, muscle damage and sprains are not just caused by lifting or moving heavy things, repetitive tasks such as intensive keyboard use can also be to blame along with slip or trip accidents. For this Council, 461 working days were lost this year due to this type of injury compared to 633 lost working days in the year 2015/16.

- 4.6 The estimated costs to the Council of the absences outlined at 4.4 and 4.5 is £56,300 based on a conservative cost of £100/day, compared to £85,300 in 2015/16, a reduction of £29,000. It is clear that considerable cost savings can be made through effective preventive and protective measures primarily through effective training, robust management and supervision, and monitoring of safe working practices.

- 4.7 Waste Management – Waste Industry Safety and Health (WISH) Forum. WISH is a multi-party forum made up of representatives from the HSE, main trade associations, trade unions, recycling organisations, and national and local governing bodies. The WISH Forum has created a blueprint which outlines 24 immediate action points under 5 strategic themes:

- Providing strong leadership;
- Involving the workforce;
- Building competence;
- Creating healthier and safer workplaces;
- Providing support for small to medium sized employers.

The blueprint is intended to cover a five-year period up to 2018; WISH will be reviewing the plan on a yearly basis.

- 4.8 Following the previous inspection initiative with Local Authority (LA) waste and recycling collection activities, the HSE carried out a programme of further inspections to LAs (England, Scotland and Wales) to re-assess health and safety standards in 2015/16, whether the service was delivered in house or contracted out. Inspections were to take place between 1 April 2015 and 31 March 2016. Ribble Valley Borough Council was not inspected. However, refuse collection personnel and members of the public continue to be killed by reversing refuse collection vehicles. It is therefore imperative that safe systems of work are implemented by competent operatives and supervisors, sufficiently monitored by senior managers and managers, and that robust corrective action is taken where activities fall short of identified standards. The recommendations from the Glasgow Bin Lorry inquiry should be implemented where practicable.
- 4.9 The HSE Fees for Intervention (FFI) scheme began on Monday, 1 October 2012. The scheme placed a duty on the HSE to recover its costs for carrying out its regulatory functions. Inspectors who identify material breaches at the sites they visit and are required to intervene will now charge organisations £129.00 an hour for the time they spend investigating and resolving the breaches. A material breach is where a Health and Safety law has been broken and an inspector judges this is serious enough for them to notify the organisation in writing. This will either be a notification of contravention, an improvement or prohibition notice, or a prosecution.
- 4.10 There were no contraventions, prosecutions, improvement notices or prohibition notices issued to RVBC by the HSE during 2016/17 and therefore no Fees for Intervention were applied.
- 4.11 On 1 February 2016, new sentencing guidelines for health and safety offences came into force. They direct the courts to consider the sentencing of offending organisations by way of a step-by-step approach, primarily examining culpability, the seriousness of harm risked and the likelihood of harm, which are divided into a number of different levels to reflect the scale within each category. In light of a number of preceding Court of Appeal judgments expressing the same view, the guidelines then require an assessment of turnover in order to set a starting point for a fine that is intended “to bring the message home to the directors and shareholders of offending organisations”, as stated by the Judge in the environmental prosecution of Thames Water. The majority of the other sentencing steps relate to the consideration of increasing or decreasing the level of fine according to a range of factors. There are similar guidelines for the sentencing of individuals for health and safety offences, with a stronger focus on the risk of a custodial sentence for those found guilty of serious breaches, Nottingham County Council have recently been fined £1,000,000 after a member of the public was injured by a council tractor, they were found guilty of failing to implement a safe system of work.

5 SUMMARY OF ACHIEVEMENTS

- 5.1 The Council’s Health and Safety Policy clearly sets out how the Council will manage the Health, Safety and Welfare of all employees and others who may be affected by its undertakings, therefore the health and safety goal of the Council is to effectively implement all sections of the Policy.
- 5.2 The Health and Safety Advisor continues to provide information to help event organisers understand their legal duties on health and safety for events on council owned property, including: -
- 5.2.1 A proportionate approach to Event Safety Management on council property for the Queen’s 90th birthday celebrations Beacon Lighting, Food Festival, Beats Cancer, the Clitheroe Bonfire, Fairgrounds and the Christmas Markets.

The Health and Safety Advisor continues to play a proactive role in advising event organisers in the management of event safety and the production of Event Safety Management Plans.

- 5.2.2 The Health and Safety Advisor attended an Institution of Occupational Safety and Health, IOSH, one day seminar on “Understanding Workplace Health Risks”. The seminar looked at Business Health risks, Occupational Cancer, Occupational Hygiene, Handling Risks and Sick Building Syndrome.
- 5.2.3 The Health and Safety Advisor attended an IOSH “Stress Masterclass”, a seminar on Culture and behaviour and a seminar on The Neuroscience of Innovative Thinking.
- 5.2.4 There has been only one HSE reportable accident under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 2013, (RIDDOR), due to a trip which resulted in a fractured arm. There were no other Reportable accidents including those resulting in over 7 day absence from work. The renovation works at Ribblesdale Swimming Pool where completed with zero reported accidents or incidents.
- 5.2.5 The Health and Safety Advisor continues to Chair the Lancashire Local Authority Health and Safety Advisors Forum and the RVBC Health and Safety Committee and continues to update his CPD through membership of the Institution of Civil Engineers, (ICE), The Institution of Occupational safety and Health, (IOSH) and The International Institute of Risk and Safety Management, (IIRSM).
- 5.2.4 Safety and Health inductions have been carried for new and temporary staff and contractors, and training courses have taken place for Asbestos Awareness, Work at Height, Manual Handling, Lone Working, Refuse collection operations including reversing assistants, and layperson use of defibrillators, (AED).
- 5.2.5 The Health and Safety Advisor attended an IOSH Accident Investigation Seminar which described the reasons why cases are settled and what employers need to ensure is in place in order for a successful defence. Common failings include: inadequate risk assessments, poor custom and practice condoning unsafe systems, not dealing effectively with near misses or previous incidents and poor investigation analysis. Training should identify the importance of “don’t walk by” and safe working practices should be enforced, employees should be disciplined for non-compliance.
- 5.2.6 Confined Space training enabled the H&S Advisor and the Principal Surveyor to install a new submersible sump pump and intrinsically safe lighting system in the ducting under the main swimming pool at Ribblesdale resulting in considerable saving over the cost of employing contractors for the work.
- 5.2.7 A detailed Legionella risk assessment has been undertaken for the underbody vehicle wash at the depot, the Refuse and Workshop manager is responsible for the necessary checks and records.
- 5.2.8 Significant proactive and reactive work has been undertaken providing a wide range of support both corporately and operationally.

6 ACCIDENT AND INCIDENT STATISTICS

6.1 Accidents

In 2016/2017 there were 60 accidents involving 33 members of staff and 27 members of the public, in the 2015/2016 there were 66 accidents, 25 involving RVBC

employees. 21 accidents happened at the Pool the majority being slips, trips and falls. 13 accidents involved members of the Refuse Collection Service. The Health and Safety Advisor will continue to investigate accidents, incidents and ill health, along with senior managers, managers, supervisors and safety representatives in accordance with the Policy and Procedure for the Reporting and Investigation of Accidents and Incidents in order to prevent reoccurrence and further lost time incidents and associated losses.

6.2 Incidents

There were 2 incidents of aggressive or abusive behaviour towards council officers and 2 persons names were added to the Awareness Register so that staff who may come into contact with those persons, during the normal course of their work, are aware of the risk.

7 TARGETS FOR 2017/2018

7.1 Construction

7.1.1 Monitor the implementation of the Policy for the Health and Safety Management and Control of Contractors and Consultants to ensure compliance at procurement stage and during works on site.

7.1.2 Continue to implement the Council's Control of Asbestos and Legionella Bacteria Policies and carry out monitoring, sampling and testing as appropriate.

7.2.3 Monitor compliance with the duties imposed by the Construction (Design and Management) Regulations 2015, (CDM 2015), are carried out for all applicable design and construction works.

7.2 Transport

7.2.1 Implement the Council Policy for the Management of Occupational Road Risk, (MORR), reviewing and revising the Council's risk assessments for driving vehicles including, the "grey fleet", and carry out driving assessments where appropriate.

7.2.2 Continue to monitor the number of incidents resulting in damage to refuse collection vehicles and implement an initiative to reduce the number of incidents and lower the burden of repair costs for vehicles and property.

7.3 Fire

7.3.1 Implement the corporate policy for Fire Safety which identifies roles and responsibilities for those employees with duties in the event of Fire and Emergency in accordance with the Regulatory Reform (Fire safety) Order 2005.

7.3.2 Carry out basic fire safety refresher training for employees and further specific Fire Safety training for all Fire Marshals in accordance with the Fire Safety (Employees' Capabilities) (England) Regulations 2010.

7.3.3 Ensure fire alarm testing and practice evacuations of public buildings are carried out regularly and liaise with the Fire and Rescue Service during statutory inspections and audits.

7.4 Mental Health Problems

- 7.4.1 Monitor instances of work related stress symptoms including anxiety and depression and assist Managers and HR Section in the risk assessment process for individual cases.
- 7.4.2 Work alongside the HR Section in developing strategies for reducing the number of working days lost due to work related stress through implementation of the Health and Safety Executive's Management Standards and the Ribble Valley Borough Council Policy on the Management of Stress at Work.

7.5 Musculoskeletal Injuries

- 7.5.1 Review workstation risk assessments for all users of display screen equipment in accordance with Health and Safety (Display Screen Equipment) Regulations 1992 (as amended in 2002).
- 7.5.2 Conduct Advanced Display Screen Assessments where musculo-skeletal disorders have been identified and ensure ergonomic adjustments are carried out and monitored.
- 7.5.3 Continue to monitor manual handling activities carried out by Council employees and where necessary conduct risk assessments where appropriate.
- 7.5.4 Provide in-house training and refresher sessions for all employees where appropriate and in particular in the Refuse Collection and General Works Service's to reduce the number of working days lost through poor lifting and carrying practices.

7.6 Waste Management

- 7.6.1 Waste collection and recycling continues to be one of the highest risk activities undertaken by the Council. Transport operations associated with collection activities (municipal and commercial) and at a range of waste management and recycling sites represent the most significant risk of serious or fatal accidents to workers and members of the public. 'Struck by moving vehicle' accounts for about only 4% of all reported accidents, however, over 40% of all fatalities fall within this category. The intervention strategy of the HSE is likely to continue into the 2017/18 period, these interventions will include both in-house and contracted collection services.
- 7.6.2 Continue to liaise with the HSE and monitor the progress of the WISH strategy, guidance and blueprint development.
- 7.6.3 The teams continue to operate on a "Group Task and Finish" basis. This type of system is recognised by the HSE as requiring a greater level of management and supervision as it may encourage workers to rush the job and take dangerous short cuts, robust monitoring of the service must therefore be carried out with instances of non-compliance with safe systems of work reported to managers and appropriate enforcement action applied.

7.7 Events

Provide Health and Safety support and input for events on council owned land including the Clitheroe Food Festival, Beats Cancer and the Clitheroe Community Bonfire in accordance with the "Purple Guide".

7.8 Accidents and Incidents

Monitor implementation of the RVBC Policy and Procedure for the Reporting and Investigation of Accidents and Incidents.

7.9 First Aid

Provide staff briefings for emergency use of defibrillators at the council offices and at Salthill Depot following the campaign by the NHS and the British Heart Foundation.

7.10 Professional Development

7.10.1 The Health and Safety Advisor continues his professional development by attending courses and seminars arranged by the Institution of Occupational Safety and Health, IOSH, The Institution of Civil Engineers, ICE, both of which he holds Graduate Membership and the International Institute of Risk and Safety Management of which he is a full member.

7.10.2 The Health and Safety Advisor undertakes Continuing Professional Development, CPD, with the above organisations and continues to Chair the Lancashire Local Authority Health and Safety Advisor's Forum, regularly attending evening meetings of the Manchester and District IOSH Branch and Public Services Section.

7.10.3 The Health and Safety Advisor continues to chair the RVBC Health and Safety Committee meetings.

8 RISK ASSESSMENTS

8.1 Heads of Service/Managers are accountable to their Director for implementing the Council's Health and Safety Policy, encouraging and assisting in developing safety procedures and ensuring that risk assessments are in place and that established safe working practices are adhered to. They must also ensure that Supervisors are properly trained and receive the support they need to perform their duties. Staff can contribute to risk control by being involved in the development of policies, procedures and systems of work.

8.2 All Senior Managers and Managers need to remain aware of the importance of setting good examples in their own behaviour to promote positive health and safety performance by others and to nurture a positive health and safety culture by "doing things properly". Senior Managers, Managers, supervisors and staff must take ownership of the risk assessment process and actively implement the control measures identified taking appropriate enforcement where necessary.

9 CONCLUSION

9.1 A considerable reduction in lost time accidents and incidents resulting in ill-health has seen an estimated £29,000 reduction in costs to the council.

9.2 The Department of Work and Pensions (DWP), Job Centre Plus have been successfully integrated into the Council Offices and all DWP staff have received induction training for all Health, Safety and Welfare matters relevant to the Council Offices.

9.3 The waste management and recycling industry has grown rapidly over the past decade in response to the environmental challenge. Unfortunately, it remains an industry with a poor health and safety performance – with fatality rates reaching over ten times the all industry average – second only to agriculture.

- 9.4 Local authorities continue to have a major role to play in reducing these high rates of fatal injury, and the high rates of other injuries which accompany them. They are the clients for this work if it is contracted out, and are the direct employers if the service is delivered in-house. HSE is very aware of the competing pressures on local authorities. One key principle is that there is no need for this to be seen as a trade-off – meeting recycling targets and achieving improvement in health and safety performance are compatible and complimentary goals.
- 9.5 Effective management and monitoring of safe working practices is essential in maintaining standards. The in-house collection and disposal of paper waste re-introduced manual handling of sacks to our systems and there were minor reported injuries in the service during 2016/2017, nevertheless close control and management will continue to be key in managing this risk.
- 9.6 Health and Safety leadership must continue at the top, the attitude, behaviour and example of leadership at Chief Executive and Director level must continue to permeate throughout management and supervisory levels so that everyone knows what they need to do and that they have the skills, abilities and resources to do their jobs safely. Senior managers have significant health and safety duties and responsibilities. These must be discharged effectively in order to maintain and improve health, safety and welfare standards and to control the Council's risks at a legally and morally acceptable level.

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